



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

4601 N. Monroe, Suite 202 • Spokane, Washington 99205-1295 • (509) 456-2926

May 17, 2001

CERTIFIED MAIL 7000 1670 0009 9552 6751

COPY

Mr. Vic Conrad
J.R. Simplot Company
P.O. Box 27
Boise, Idaho 83707

Dear Mr. Conrad:

Re: Emergency Drought Authorization for 2001 under Surface Water Certificate No. S3-26448C (WRIA 32 - Walla Walla County)

Your request for an Emergency Drought Permit for a change in place of use for the 2001 irrigation season under the above-reference Certificate has been received and is granted pursuant to WAC 173-166-080.

The above-referenced Certificate authorizes the diversion of water from the Columbia River in the amount of 9.74 cubic feet per second, 1,948 acre-feet per year, for the irrigation of 487 acres. The season of use is from January 1 to December 31, and the authorized point of diversion is within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 3, T. 7 N., R. 31 E.W.M. The lands associated with this Certificate are owned entirely by Simplot.

For the 2001 irrigation season you are authorized to change the place of use to a portion of the S $\frac{1}{2}$ of Sec. 24; the N $\frac{1}{2}$ and SW $\frac{1}{4}$ of Sec. 25, all within T. 8. N., R. 31 E.W.M. The specific circles involved in this change are more specifically identified in the farm map submitted to Ecology with your application on April 30, 2001.

Surface Water Certificate No. S3-26448C is subject to regulation instream flows in the Columbia River under WAC 173-532. The purpose of this change is to rotate this interruptible right to croplands which do not require a reliable supply of water, while moving the uninterruptible right currently appurtenant to those lands (Surface Water Term Permit No. 24704P) to the 487 acres



Mr. Vic Conrad, Simplot Company
2001 Emergency Drought Change
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formerly covered by the subject right. Concurrent Drought Change applications have been filed to effect the rotational changes.

The point of diversion for this application shall be metered for instantaneous and cumulative quantities as per conditions of the original permit. With proper consent, Ecology officials shall have right of access to the meter(s) at all times. In the event the meter(s) or measuring device(s) should become damaged or inoperable, all diversion of water under this authorization shall cease until such time as the meter or measuring device is restored to proper working order.

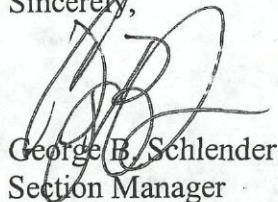
This change does not authorize an enlargement of those quantities in gallons per minute, acre-feet per year, or total irrigated acres as described under Surface Water Certificate No. S3-26448C.

This Drought Change is granted in accordance with WAC 173-166-080 until the end of the 2001 irrigation season, at which time it shall automatically revert back to those elements and conditions described under Surface Water Certificate No. S3-26448C.

The Department may field-verify this Drought Change at any time for compliance with the terms and/or conditions of this authorization. Violation of any of the terms and/or conditions of this Drought Change will result in this authorization being immediately terminated, issuance of administrative orders to Cease and Desist, and may also subject the violator to civil penalties.

This Action may be appealed. **Your appeal must be filed with the Pollution Control Hearings Board, P.O. Box 40903, Olympia, Washington 98504-0903 within thirty (30) days of the date of mailing of this Action.** At the same time, your appeal must also be sent to the Department of Ecology c/o the Appeals Coordinator, P.O. Box 47600, Olympia, Washington 98504-7600. Your appeal alone will not stay the effectiveness of this Action. Stay requests must be submitted in accordance with RCW 43.21B.320. These procedures are consistent with Chapter 43.21B RCW.

Sincerely,



George B. Schlender
Section Manager
Water Resources Program

GBS:BN:kay

w:Drought/2001/BN/2001/Simplot S3-26448C 5-17-2001.doc

cc: Herman Spangle & Karen Tusa – Water Resources Program - ERO

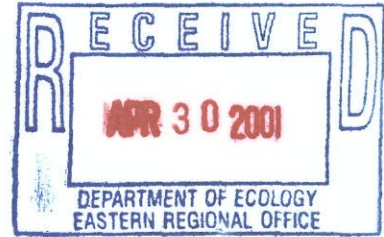
I certify that I mailed this letter or an identical copy thereof, postage prepaid, to the above addressee(s) this 17th day of May, 2001.

Water Resources Program, Office Assistant, Katherine A. Yerbich 

CORPORATE HEADQUARTERS

April 26, 2001

George B. Schlender
Water Resources Program
State of Washington
Department of Ecology
4601 N. Monroe, Suite 202
Spokane, WA 99205-1296



**Re: Temporary Applications for Change in the Place of Use for DOE Certificate
Nos. S3-27096C, S3-26448C and Permit No. S3-24704P.**

Dear Mr. Schlender:

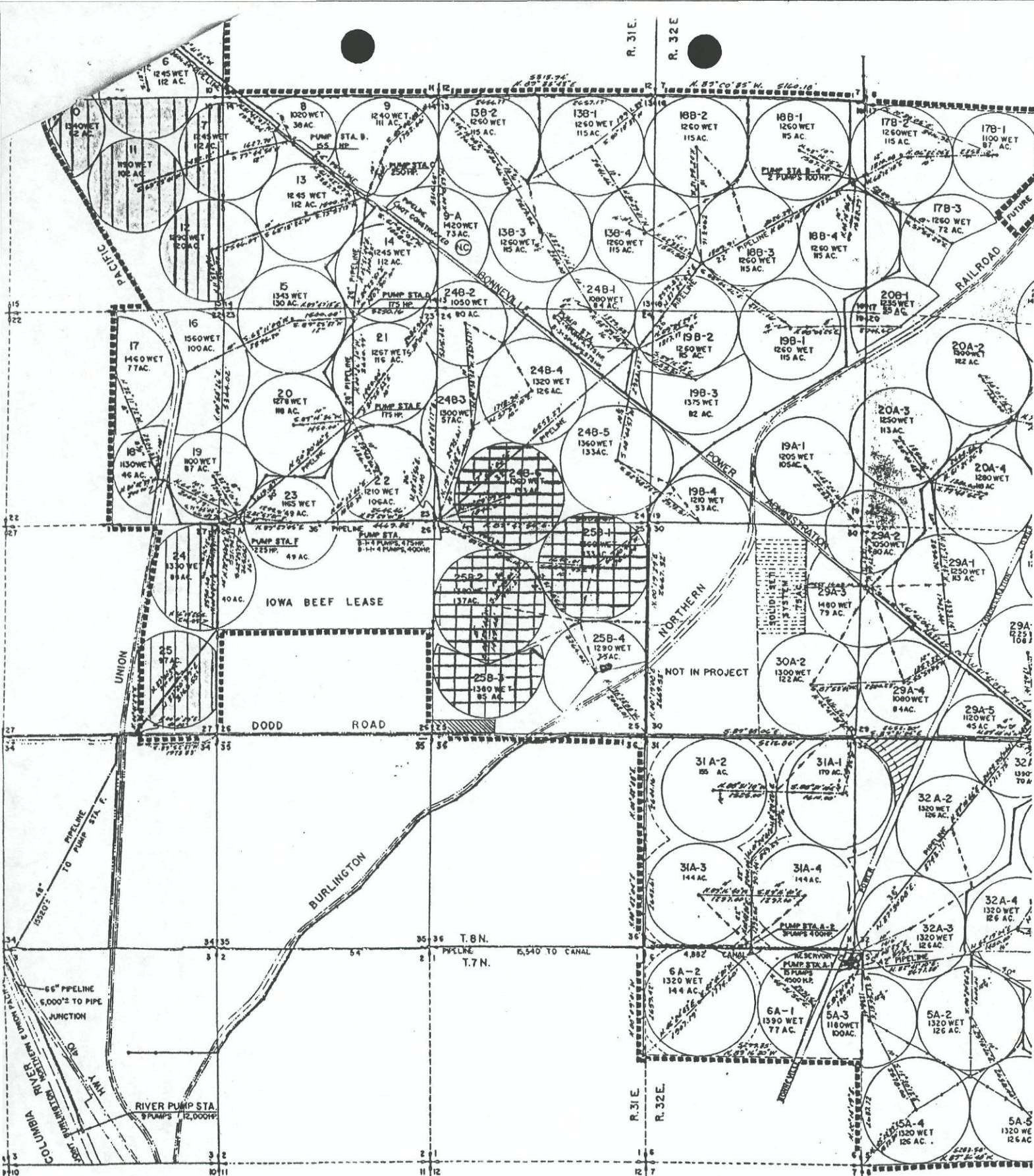
In connection with the Columbia River Water Rights Subject to Regulation Under Instream Flows (WAC 173-633), enclosed are temporary transfer applications for the above referenced water rights. The applications (1) seek to temporarily change the place of use for interruptible water rights nos. S3-27096C and S3-26448C, to land involved with raising crops more suited to interruption and (2) to temporarily change a portion of the place of use for uninterruptible water right no. S3-24704P to land involved with raising the types of crops that cannot withstand interruption. I am also enclosing a \$50.00 check to cover your fees to file all three applications.

It is my impression the enclosed applications are self-explanatory. However, if I can provide any additional information to assist processing these applications please contact me. I can be reached by telephone or email (telephone no.: 208-389-7359 or email address: vconrad@simplot.com).

Sincerely,

Vic Conrad
Land and Development

Enclosures



= Proposed change in Place of Use for S3-26448C



= Existing Place of Use for S3-26448C